

Chapter 7

SIGNS

An ordinance which provides for the regulation of signs, including size, location, construction and manner of display.

CITY OF KANAB

Uniform Zoning Ordinance

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Section 7-1 Purpose

1. The purpose of this Chapter is to permit such signs that will not, by reason of their size, location, construction or manner of display, endanger the public safety of individuals, confuse, mislead, or obstruct the vision necessary for traffic safety or otherwise endanger public health, safety and morals; and to permit and regulate signs in such a way as to support and complement land use objectives, set forth in the Zoning Ordinance.

2. Interpretation - The sign requirements contained herein are declared to be the maximum allowable, and sign types not specifically allowed as set forth within this Chapter shall be prohibited. Where other ordinances are in conflict with the provisions of this ordinance, the most restrictive ordinance shall apply.

Section 7-2 Intent

(a) Encourage the effective use of signs as a means of Promoting Business and communications in the City;

(b) Maintain and enhance the aesthetic environment and the City's ability to attract sources of economic development and growth;

(c) Improve pedestrian and traffic safety;

(d) Minimize the possible adverse affect of signs on nearby public and private property;

(e) Foster the integration of signage with architectural and landscape designs;

(f) Lessen the visual clutter that may otherwise be caused by the proliferation, improper placement, illumination, animation, excessive height, and excessive size (area) of signs which compete for the attention of pedestrian and vehicular traffic;

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- (g) Allow signs that are compatible with their surroundings and aid orientation, while precluding the placement of signs that contribute to sign clutter or that conceal or obstruct adjacent land uses or signs;
- (h) Encourage and allow signs that are appropriate to the zoning district in which they are located and consistent with the category of use and function to which they pertain;
- (i) Curtail the size and number of signs and sign messages to the minimum reasonably necessary to identify a residential or business location and the nature of any such business;
- (j) Establish sign size in relationship to the scale of the lot and building on which the sign is to be placed or to which it pertains;
- (k) Categorize signs based upon the function that they serve and tailor the regulation of signs based upon their function;
- (l) Preclude signs from conflicting with the principal permitted use of the site and adjoining sites;
- (m) Regulate signs in a manner so as to not interfere with, obstruct the vision of or distract motorists, bicyclists or pedestrians;
- (n) Except to the extent expressly preempted by state or federal law, ensure that signs are constructed, installed and maintained in a safe and satisfactory manner, and protect the public from unsafe signs;
- (o) Preserve, conserve, protect, and enhance the aesthetic quality and scenic beauty of all districts of the City;
- (p) Allow for traffic control devices consistent with national standards and whose purpose is to promote highway safety and efficiency by providing for the orderly movement of road users on streets and highways, and that notify road users of regulations and provide warning and guidance needed for the safe, uniform and efficient operation of all elements of the traffic stream;
- (q) Protect property values by precluding to the maximum extent possible sign-types that create a nuisance to the occupancy or use of other properties as a result of their size, height, illumination, brightness, or movement;
- (r) Protect property values by ensuring that sign-types, as well as the number of signs, are in harmony with buildings, neighborhoods, and conforming signs in the area;
- (s) Regulate the appearance and design of signs in a manner that promotes and enhances the beautification of the City and that complements the natural surroundings in recognition of the City's reliance on its natural surroundings and beautification efforts in retaining economic advantage for its resort community, as well as for its commercial properties; and

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(t) Enable the fair and consistent enforcement of these sign regulations.

Section 7-3 Definitions

Alteration - A change or rearrangement in the structural part of design whether by extending on a side, by increasing in area or height, or by relocating or change in position. Alterations shall not be interpreted to include changing outdoor bulletin or other similar signs which are designed to accommodate changeable copy.

Awning: means any flexible fabric or similar material covering a metal frame attached to a building.

Building, Front Line of, - The line of that face of the building or structure nearest the front line of the lot. This face includes sun parlors, bay windows, covered and/or uncovered porches whether enclosed or unenclosed, but does not include uncovered steps less than four feet above grade and eaves overhanging less than two feet.

Building Line - Is a vertical surface intersecting the ground along the line of the face of the building or structure nearest the front line of the lot.

Clear View Triangle - The area of visibility required for the safe operation of vehicles, pedestrians and cyclists in proximity to intersecting streets and driveways. The clear view triangle shall be regulated by AASTHO standards for signs and landscaping.

Nonconforming Sign or Sign Structure - A sign or sign structure or portion thereof lawfully existing at the time of its construction which does not conform to all height, area, yard spacing, animation, lighting or other regulations prescribed in the zone in which it is located.

Sign - A presentation or representation of words, letters, figures, designs, picture or colors, publicly displayed so as to give notice relative to a person, a business, an article of merchandise, a service, an assemblage, a solicitation, or a request for aid; also, the structure or framework or any natural object on which any sign is erected or is intended to be erected or exhibited or which is being used or is intended to be used for sign purposes.

The following are individual sign definitions which are specific types of signs included within the general definition above.

A-Frame / Sandwich Sign - Temporary and / or moveable sign constructed



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with two sides attached at the top so as to allow a sign to stand in an upright position.

Abandoned Sign - A sign which (a) identifies a discontinued use on the property or (b) has not been maintained for a period of 60 days, where conduct on the part of the sign owner or the person having control of the sign indicates an intention to relinquish ownership or title to the sign.



Animated Sign - (see also and note difference from changeable signs)
A sign or display manifesting either kinetic or illusionary motion occasioned by natural, manual, mechanical, electrical, or other means. Animated signs include the following types:

1. Naturally Energized: Signs whose motion is activated by wind or other atmospheric impingement. Wind driven signs include flags, banners, pennants, streamers, spinners, metallic disks, or other similar devices designed to move in the wind.

2. Mechanically Energized: signs manifesting a repetitious pre-programmed physical movement or rotation in either one or a series of planes activated by means of mechanically based drives.

3. Electrically Energized: Illuminated signs whose motion or visual impression of motion is activated primarily by electrical means. Electrically energized animated signs are of two types:

a. Flashing Signs: Illuminated signs exhibiting a preprogrammed repetitious cyclical interruption of illumination from one or more sources in which the duration of the period of illumination (on phase), is either the same as or less than the duration of the period of darkness (off phase), and in which the intensity of illumination varies from zero (off) to 100 percent (on) during the programmed cycle.

b. Illusionary Movement Signs: Illuminated signs exhibiting the illusion of movement by means of a preprogrammed repetitious sequential switching action in which illuminated elements of the sign are turned on or off to visually simulate the impression of motion characteristic of chasing, running, blinking, oscillating, twinkling, scintillating, or expanding and contracting light patterns.



Attached Sign - means a wall sign, an integral roof sign, a

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window sign, marquee sign or a canopy sign.

Awning Sign - means any sign that is part of or attached to an awning

Canopy Sign - Means any sign which is a structure other than an awning which is made of cloth, metal, or other material with frames affixed to the building and carried by a frame which is supported by the ground. An awning sign is any sign which is a structure made of cloth, metal, or other material affixed to a building in such a manner that the structure may be raised or retracted to a position against the building. Marquee signs are any signs built on a permanent roof-life structure or canopy of rigid materials supported by and extending from the facade of a building. Suspended signs are signs which are anchored to a building and are free to hang from the structure to which it is attached.

Changeable Copy Sign - A sign whose informational content can be changed or altered by manual or electric, electro-mechanical or electronic means. Changeable signs include the following types:

1. Manually Activated: Signs whose alphabetic, pictographic, or symbolic informational content can be changed or altered by manual means.

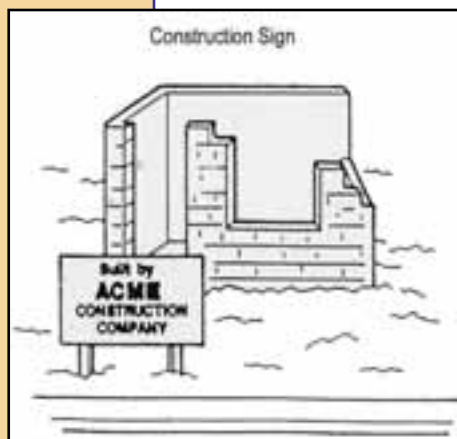
2. Electrically Activated: Signs whose alphabetic, pictographic, or symbolic informational content can be changed or altered on a fixed display surface composed of electrically illuminated or mechanically driven changeable segments. Includes the following two types:

a. Fixed Message Electronic Signs: Signs whose basic informational content has been preprogrammed to include only certain types of information projection, such as time, temperature, predictable traffic conditions, or other events subject to prior programming.

b. Computer Controlled Variable Message Electronic Signs: Signs whose information content can be changed or altered by means of computer-driven electronic impulses.

Civic Sign - A sign erected by a public or non-profit agency, service club, etc., for civic or public information.

Construction sign - means a temporary on-premise sign identifying the ongoing construction activity during the time that a building permit is



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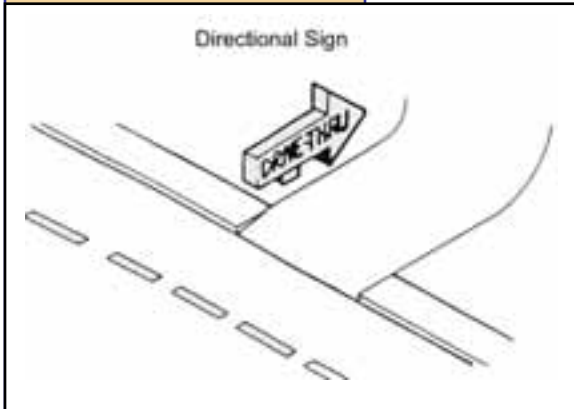
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active and prior to completion of the work for which the permit was issued, containing sign copy is limited to the ongoing construction activity and identifying the contractor and/or any subcontractor engaged to perform construction activity on the site.

Development Sign - An on-premise temporary sign identifying a construction project or subdivision development.



Drive-through menu sign means a sign placed so as to be viewed from a drive-through lane and which contains only a listing of the products, with prices, offered for sale by the business on which the sign is located and which may provide a mechanism for ordering the products while viewing the sign.

Electronic Message Sign or Center see "Changeable Signs, Electrically Activated

Entrance Sign - is a type of ground sign placed at the entrance of an office park, institutional use, industrial park, apartment development, shopping center or subdivision development

Exit Sign - is a type of ground sign placed at the exit of an office park, institutional use, industrial park, apartment development, shopping center or subdivision development

Facility Signs - Signs identifying churches, schools, public utilities, buildings and facilities, public-owned and operated properties, hospitals, homes for the aged, nursing homes, convalescent homes, private clubs, fraternal organizations and roadside stands.

Flashing Sign - see "Animated Sign, Electrically Energized

Flat Sign - A sign which is affixed to a building front which does not project more than eighteen (18) inches from the building or structure wall.

Free Standing Sign - A sign supported upon the ground by poles or braces and not attached to any building.

Illuminated Sign - A sign in which a source of light is used in order to make the message readable. This definition shall include internally and externally lighted signs.



Integral Roof Sign - means any sign erected or constructed as

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an integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six inches. No integral portion of the roof shall extend more than five feet above the structural roof.

Mural Sign - A sign that is applied to a building wall with paint or a thin layer of vinyl, paper or similar materials adhered directly to the building surface that has no sign structure.

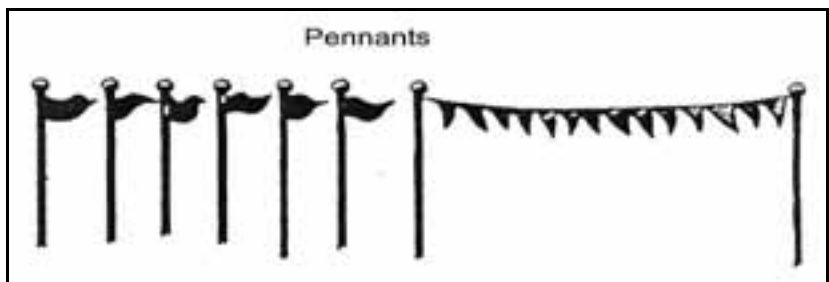
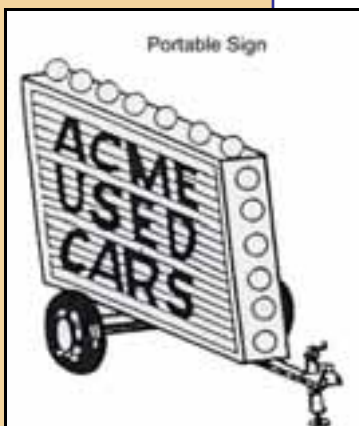
Marquee means any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

Marquee Sign - means any sign attached to a marquee.

Monument Sign - A sign which is flush to the ground, and is incorporated into the landscape or architectural design scheme, and displays the name of buildings or occupants only.

Name Plate Sign - A sign indicating the name of a person legally occupying the premises.

On-premise Free-standing signs - On Premise Sign means any sign which directs attention to a use, product, commodity or service performed upon the premises on which it is located. Freestanding means a sign supported upon the ground by poles or braces and not attached to any building.



Pennant - means any series of small flag-like or streamer-like pieces of cloth, plastic, paper or similar material attached in a row to any staff, cord, building, or at only one or two edges, the remainder hanging loosely.

Portable sign - means any sign, banner, or poster that is not permanently attached to the ground or structure. For purposes of this division, a cold air inflatable sign shall be considered to be a portable sign.

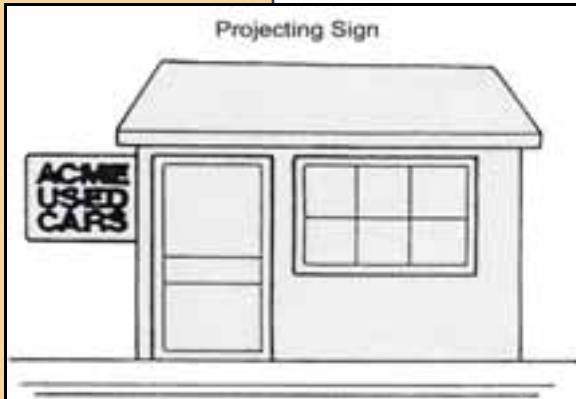
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Projecting Sign - A sign which is affixed to an exterior wall or building or structure and which projects more than eighteen (18) inches from the building or structure wall, and which does not extend more than three (3) feet above the parapet, eaves, or building facade of the building upon which it is placed.



Property Sign - A sign related to the property upon which it is located and offering such information as address, name of occupancy for residential uses, sale or lease of the property, warning against trespassing, any hazard, or other danger on the property.

Reader-board Sign - see "Changeable Signs, Manually Activated"

Real Estate Sign - One Real Estate sign on any lot or parcel, provided such sign is located entirely within the property to which the sign applies, is not direct illuminated, does not exceed eight (8) square feet in area, and is removed within seven days after the sale, rental, or lease has been accomplished.

Roof Sign - A sign which is erected on or over the roof of the building. Notwithstanding the foregoing, a sign structure having main supports embedded in the ground shall not be considered to be a roof sign even if the sign's supports pass through a roof, canopy, or parapet of a building.



Service Sign - A sign that is incidental to a use lawfully occupying the property upon which the sign is located, and which sign is necessary to provide information to the public, such as direction to parking lots, location of restrooms, entrance and exits, etc.

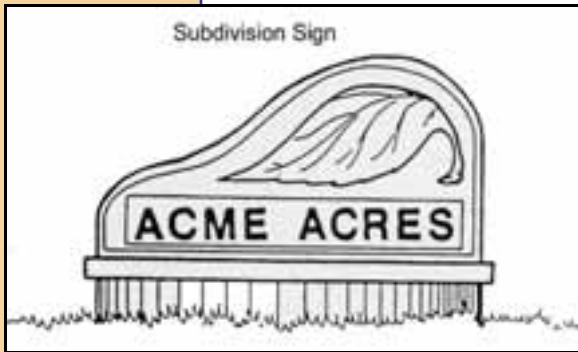
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Subdivision monument identification sign - means a monument sign which contains only the name of a platted subdivision or other residential development.



Suspended Sign - A sign that is suspended from the underside of a horizontal plane surface, such as a canopy or marquee and is supported by such surface.

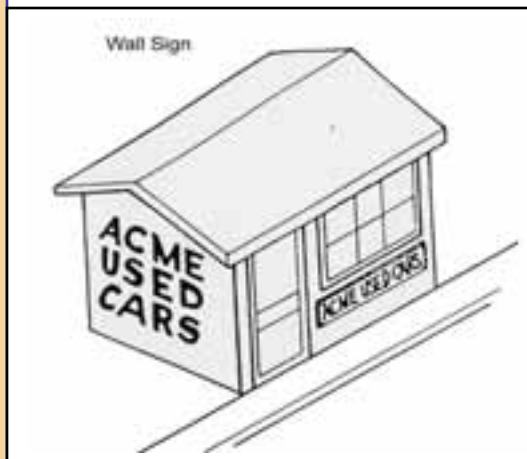
Temporary Sign - Any sign, banner, pennant, valance or advertising display constructed of paper, cloth, canvas, light fabric, cardboard, wallboard or other light materials, with or without frames, intended to be displayed out of doors for a period of 30 days.



Vehicle sign - means any sign or signs where the total sign area covers more than ten square feet of the vehicle.

Wall Sign - A sign that is painted or affixed to side wall, and not having a sign frame or separation from the wall or facing.

Warning sign or safety sign - means a sign which provides warning of a dangerous condition or situation that might not be readily apparent or that poses a threat of serious injury (e.g., gas line, high voltage, condemned building, etc.) or that provides warning of a violation of law (e.g., no trespassing, no hunting allowed, etc.).



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Window Sign - means a sign which is painted on, fastened to, or erected against the wall of a building with its face in a parallel plane with the plane of the building facade or wall,



Sign Area - The area in square feet of the smallest rectangle enclosing the total exterior surface of a sign. Only one side of a back-to-back or double-faced sign shall be used in computing sign area when sign surfaces are parallel or diverge from a common edge by an angle of less than forty-five degrees. Sign area of signs in the shape of a sphere, prism, cylinder, cone, pyramid, square or other such shapes shall be computed as one-half (1/2) of the total surface area.

Sign Setback - The minimum distance that any portion of a sign or sign structure shall be from any street right-of-way line.

Sign Structure - Anything constructed or erected supporting a sign which requires locations on or below the ground or attached to something having locations on or below ground.

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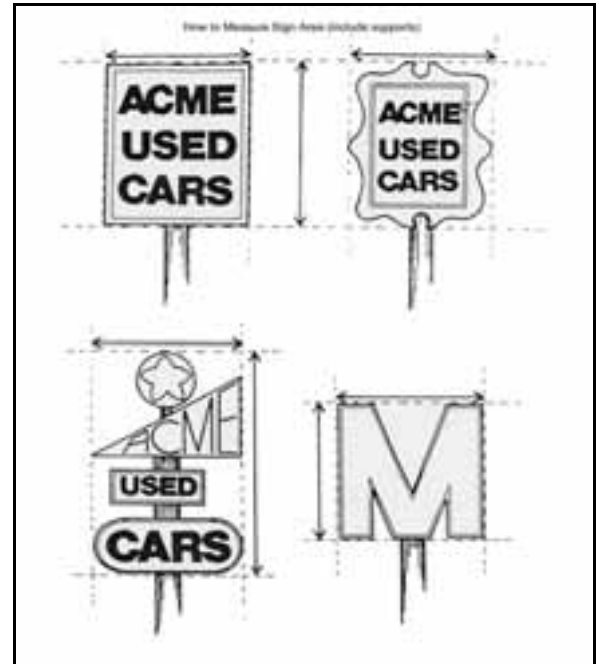
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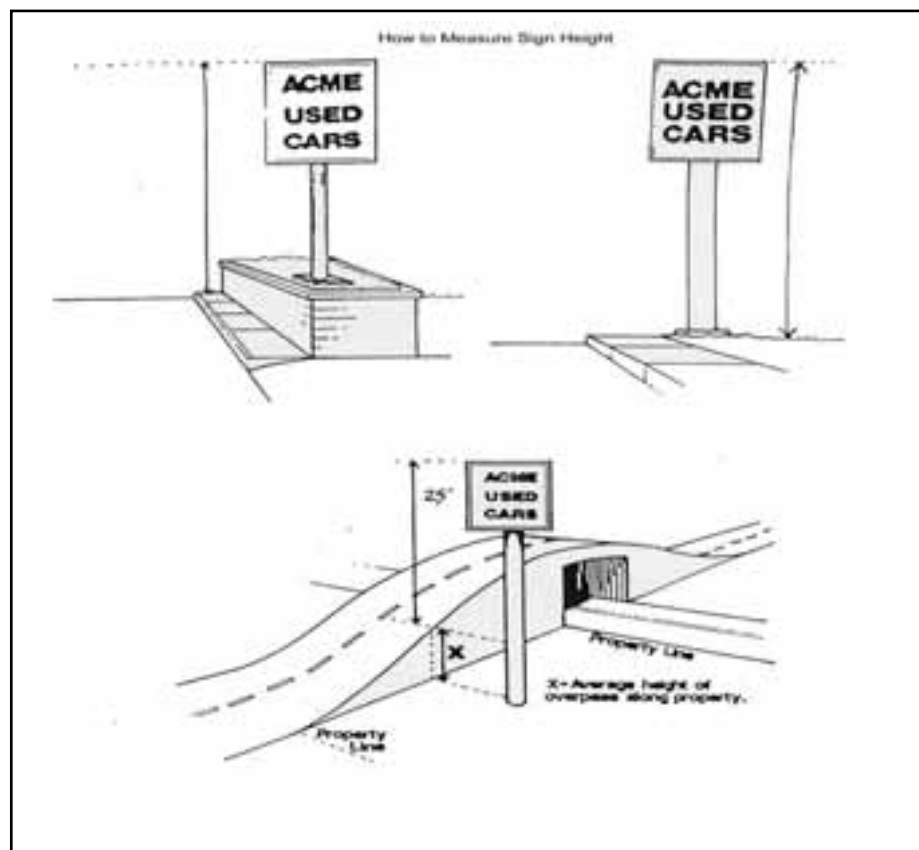
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Section 7-4 Illustrations

How to Measure a Sign:



How to Measure Sign Height:



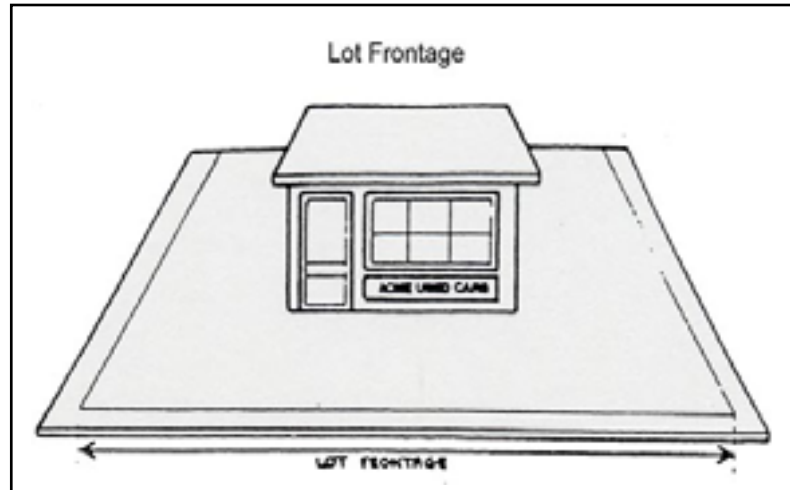
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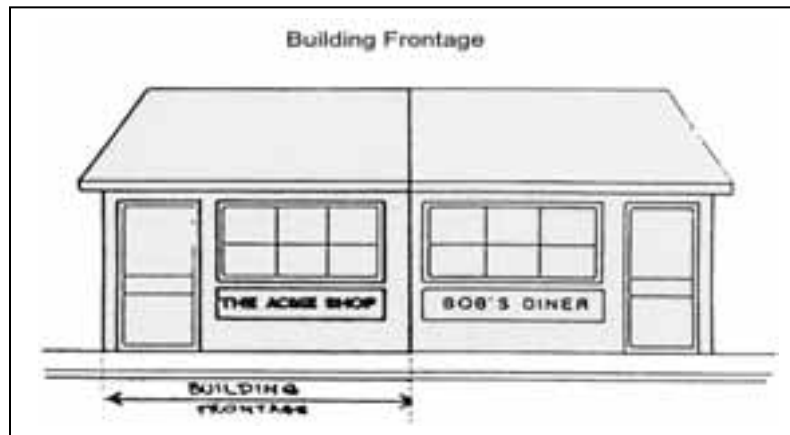
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Lot Frontage:



Building Frontage:



Section 7-5 Permits

1. Except as provided in this chapter, it shall be unlawful to display, erect, relocate, or alter any sign without first filing with the Building Inspector an application in writing and obtaining a sign permit. When a sign permit has been issued by the Building Inspector, it shall be unlawful to change, modify, alter, or otherwise deviate from the terms or conditions of said permit without prior approval of the Building Inspector. A written record of such approval shall be entered upon the original permit application and maintained in the files of the Building Inspector.

2. Application for Permit - The application for a sign permit shall be made by the owner or tenant of the property on which the sign is to

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be located, or his authorized agent, or a license sign contractor. The application for a sign permit shall be accompanied by the following plans and other information:

- a. The name, address and telephone number of the owner or persons entitled to possession of the sign and of the sign contractor or erector.
- b. The location by street address of the proposed sign structure.
- c. Complete information as required on application forms provided by the Department of Zoning and Building Inspection, including a site plan and elevation drawings of the proposed sign, caption of the proposed sign and such other data as are pertinent to the application. Specifically, the elevation drawing shall show the type of sign, the sign display, the sign height and the sign area. The site plan shall include the proposed location of the sign in relation to the face of the building or to the boundaries of the lot on which it is situated, existing and proposed buildings or other structures, control curbs, and parking areas.
- d. Plans indicating the scope and structural detail of the work to be done, including details of all connections, guy lines, supports and footing, and materials to be used.
- e. Application for an electrical permit for all electric signs if the person building the sign is to make the electrical connection.
- f. A statement of the total cost of erecting the sign.

3. Exceptions from Permit Requirements

- a. Excepted Changes - The following changes shall not require a sign permit. These exceptions shall not be construed as relieving the owner of the sign from the responsibility of its erection and maintenance and its compliance with the provisions of this ordinance or any other law or ordinance regulating the same.
 1. The changing of the advertising copy or message of a painted, plastic face or printed sign only. Except for signs specifically designed for the use of replaceable copy, electric signs shall not be included in this exception.
 2. The electrical, repainting, or cleaning maintenance of a sign.
 3. The repair of a sign.
- b. Excepted Types - The following types of signs are

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allowed without permit but otherwise subject to the regulations of this chapter.

1. On-premise advertising signs that are painted on windows or attached to windows or walls, clearly of a temporary nature and which promote specific sales.
2. Signs which are associated with public and quasi-public organization functions which are clearly of a temporary nature.
3. Interior signs.
4. Signs not exceeding two (2) square feet in area and bearing only property numbers, postal box numbers or names of occupants of premises.
5. Legal notices, identification, information or directional signs erected by governmental bodies.
6. Property signs with no more than six (6) square feet of area.
7. Service signs with no more than six (6) square feet of area.
8. Permanent signs painted or mounted to the interior or exterior of the windows.

4. Fees for Sign Permit - A fee as established by resolution of the City Council shall be paid to the City for each sign permit issued under this Ordinance.

5. Issuance and Denial - The Building Inspector shall issue a permit and permit tag for the erection, alteration, or relocation of a sign within ten days of receipt of a valid application, provided that the sign complies with all applicable laws and regulations of the City. In all applications, where a matter of interpretation arises, the more specific definition or higher standard shall prevail.

When a permit is denied by the Building Inspector, he shall give a written notice to the applicant along with a brief statement of the reasons for denial. The Building Inspector may suspend or revoke an issued permit for any false statement or misrepresentation of fact in the application.

6. Permit Conditions, Refunds, and Penalties - If a permit is denied, the permit fee will be refunded to the applicant.

Section 7-6 General Sign Provisions

1. Traffic Hazard - Signs shall not:
 - a. be erected at the intersection of any streets or driveways in such manner as to obstruct free and clear vision;

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or at any location where by reason of the position, shape or color, it may interfere with, obstruct the view of or be confused with any authorized traffic sign, signal device, or

b. make use of the words "Stop," "Drive-in," "Danger," or any other words, phrases, symbol or character in such manner as to interfere with, mislead or confuse vehicle operators.

2. Clearances and Setbacks

a. Signs less than three feet (3) in height may be placed in the clear view area.

b. Signs more than three (3) feet in height must have a front setback that shall be the same as for buildings in that zoning district or a front setback at least eighteen (18) inches from the front property line as measured from leading edge of the sign, whichever is greater. Sign shall also meet clear view requirements as detailed in sign definitions.

c. Signs over pedestrian ways shall have a clearance between the ground and the bottom of any projecting or free standing sign of not less than eight (8) feet.

d. Signs over private driveways for vehicular traffic shall have a minimum clearance of not less than fourteen (14) feet.

3. Signs On and Over Public Property - No sign shall be located on publicly owned land or inside street right-of-way except signs required and erected by written permission of the City Council. No projecting sign attached to a building shall project over public property except by written permission of the City Council. Free standing signs may not project over public property.

4. Prohibited signs.

The following signs and sign-types are prohibited within the city limits and shall not be erected. Any lawfully existing permanent sign or sign-type which is among the prohibited signs and sign-types listed below shall be deemed a nonconforming sign subject to the provisions of Section 7-7.

(a) Billboards; off-site signs.

(b) Revolving signs; rotating signs.

(c) Flashing signs.

(d) Animated signs.

(e) Wind signs.

(f) Portable signs, other than sandwich board signs as allowed within certain zoning districts pursuant to this chapter.

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- (g) Roof signs, other than integral roof signs in non-residential zoning districts.
- (h) Abandoned and discontinued signs.
- (i) Snipe signs.
- (j) Signs that emit sound, vapor, smoke, odor, particles or gaseous matter.
- (k) Signs that have unshielded illuminating devices.
- (l) Signs that obstruct, conceal, hide or otherwise obscure from view any official traffic or governmental sign, signal or device.
- (m) Any attached sign that exceeds one hundred (100) square feet in area.
- (n) Any freestanding sign that is higher than thirty-five (35) feet.
- (o) Any freestanding sign that exceed 295 square feet in sign area.
- (p) Any sign within a sight visibility triangle that obstructs a clear view of pedestrian or vehicular traffic.
- (q) Any sign in the public right of way, other than traffic control device signs, warning signs or safety signs and subdivision monument identification signs specifically permitted by the Kanab City Planning and Zoning Commission..
- (r) Any sign other than a traffic control device sign that uses the word "stop" or "danger," or presents or implies the need or requirement of stopping or the existence of danger, or which is a copy or imitation of official traffic control device signs, and which is adjacent to the right-of-way of any road, street, or highway.
- (s) Any sign nailed, fastened or affixed to any tree.
- (t) Any sign prohibited by state or federal law.
- (u) Vehicle sign or signs which have a total sign area on any vehicle in excess of ten square feet, when the vehicle is not "regularly used in the conduct of the business" advertised on the vehicle, and (a) is visible from a street right-of-way within one hundred feet of the vehicle, and (b) is parked for more than two consecutive hours within one hundred feet of any street right of way. A vehicle shall not be considered "regularly used in the conduct of the business" if the vehicle is used primarily (i) for advertising, or (ii) for the purpose of advertising, or (iii) for the purpose of providing transportation for owners or employees of the business advertised on the vehicle.

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(v) Any sign located on real property without the permission of the property owner.

(w) Home Occupation permitted under a conditional use permit (except Bed & Breakfast Inns).

5. Anchoring

a. No sign shall be suspended by non-rigid attachments that will allow the sign to swing in a wind.

b. All freestanding signs shall have self-supporting structures erected on or permanently attached to an acceptable foundation as determined by the IBC.

c. All portable signs on display shall be braced or secured to prevent motion.

6. Additional Construction Specifications

a. No signs shall be erected, constructed or maintained so as to obstruct any fire escape, required exit, window or door opening used as a means of egress.

b. No sign shall be attached in any form, shape, or manner which will interfere with any opening required for ventilation, except that signs may be erected in front of and may cover transom windows when not in violation of the provisions of the Kanab Building or Fire Prevention Codes.

c. Signs shall be located in such a way as to maintain horizontal and vertical clearance with all overhead electrical conductors in accordance with Electrical Code specifications, depending on voltages concerned.

7. Mobile Changeable Copy Sign - One mobile changeable copy sign may be used for the street frontage of a building, for a period of fourteen (14) consecutive days, not to exceed twenty-eight (28) days in a calendar year. Each sign shall require a sign permit for each period. Said signs shall be in full conformance with all building and electrical codes. Said signs shall not exceed thirty-two (32) square feet in size and six (6) feet in height, and shall conform with all setback, clearances, and other general provisions of this ordinance.

8. Maintenance - Every sign shall be kept in good condition as to maintenance and repair, including the replacement of defective parts, repainting and cleaning. The ground space within a radius of ten (10) feet from the base of any ground sign shall be kept free and clear of all weeds, rubbish and inflammable material.

9. Sign Removal - Signs identifying a discontinued use on the property shall be removed from the property within thirty (30)

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calendar days of the time the use was discontinued. A sign remaining thereafter shall be considered abandoned.

10. Repair of Building Facade - A damaged building facade as the result of the removal, repair, replacement or installation of any signs shall be repaired by the property owner within thirty (30) calendar days of the time the use was discontinued.
11. Nonconforming Sign - A nonconforming sign may not be moved to a new location, altered, enlarged, or replaced unless it be made to comply with provisions of this Chapter.

Section 7-7 Safety in Construction and City Non-Liability

1. Sign Erection Safety Precautions for Streets and Sidewalk - Whenever any sign or other advertising structure is erected in whole or in part on or over any public street or sidewalk, the person or persons performing the work shall, before proceeding to erect the same, take all precautions necessary to ensure the safety of persons and property on such street or sidewalk. Before hoisting any material whatsoever above the surface of any street or sidewalk or placing any material upon the traveled portion of any street or sidewalk, the persons or person performing such work shall exclude the traveling public from the portion of such street or sidewalk in which such work is to be done by means of suitable barriers, protected walkways and warning devices approved by the Building Inspection Department; and whenever the Department shall deem it necessary under the conditions then existing, shall provide a guard or guards to exclude all persons not concerned in the work from the portion of the street or sidewalk in which the work is to proceed. When hoisting any sign or advertising structure above the surface of any street or sidewalk, the same shall be accompanied by hoisting devices of approved design and adequate capacity to accomplish the work in accordance with approved engineering practices, all of which hoisting equipment shall be kept and maintained in good and workable condition.

2. City Non-liability - The City of Kanab, its Building Inspector and its other agents shall in no way be liable for any negligence of the owner, or the person responsible for the sign.

Section 7-8 Enforcement

1. Signs to Conform - A sign shall not be erected, raised, moved, placed, reconstructed, extended, enlarged or altered, unless in conformity with this Chapter.

2. Prohibited Signs to be abated - Signs prohibited under other laws or ordinances are also in violation of this Chapter and are subject to remedies herein provided. The non-conforming sign provisions of this Chapter shall not be applicable to such prohibited signs.

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3. Building Inspector - The Building Inspector employed by the City shall be responsible for inspecting signs as defined by this Chapter, and shall be authorized to enforce this ordinance, but the City Council of Kanab, by resolution or ordinance, may from time to time entrust such administration, in whole or in part, to any other office of City government without amendment to this ordinance.

4. Legal Action - The Building Inspector with the consent of the City Council shall be empowered to institute any appropriate action or proceeding in any case where any sign is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or in any case where any sign is used in violation of any City Ordinance, to accomplish the following purposes:

a. To prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use.

b. To restrain, to correct or abate such violation.

c. To abate and remove unsafe or dangerous signs. If an unsafe or dangerous sign is not repaired or made safe within ten (10) working days after giving notice as provided below, the Building Inspector may at once abate and remove said sign and the person having charge, control or benefit of any such sign shall pay to Kanab City the costs incurred in removal within thirty (30) calendar days after written notice of the costs is mailed to such person.

d. Notification by the City shall mean written notice sent by certified mail to persons having charge or control or benefit of any sign found by the Building Inspector to be unsafe.

5. Immediate Hazard - In the case of an unsafe or illegal sign that is either an immediate hazard or whose primary purpose will have been served, at least in part, before the expiration of the notice period required herein, the Building Inspector may effect an immediate removal without notice, subject to a subsequent right of hearing by the person receiving benefits there from.

6. Notice of Non-Maintained Abandoned Sign - The Building Inspector shall require each non-maintained or abandoned sign to be removed from the building or premises when such sign has not been repaired or put into use by the owner, person having control or person receiving benefits of such structure within thirty (30) calendar days after notice of non-maintenance or abandonment is given to the owner, person having control or person receiving benefit of such structure.

7. Violation and Penalty - Any person, firm or corporation whether acting as owner or occupant of the premises involved or contractor or otherwise who violates or refuses to comply with any of the provisions

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of this title shall be guilty of a class B misdemeanor. A separate offense shall be deemed to be committed on each day an offense occurs or continues.

8. Right of Appeal - Any person who has been ordered by the Building Inspector to alter or remove any sign, or any person whose application for a sign permit has been refused, may appeal to the Board of Adjustment by serving a written notice to the City Recorder within ten (10) days of the order of the Building Inspector. Such notice shall be considered by the Board of Adjustments at its next regularly scheduled meeting. Upon filing of said notice of appeal, the Building Inspector shall take no further action with regard to any removal of the sign involved until the final decision of the Board of Adjustment on the appeal is known, unless the Building Inspector finds that the sign involved, by reason of its condition, presents an immediate and serious danger to the public, or comes within the provisions of Paragraph (5), above, in which case he shall proceed immediately as provided in this ordinance.

Section 7-9 Non-Conforming Signs

1. Any sign that was lawfully in existence at the time of the effective date of this Ordinance that does not conform to the provisions herein, and any sign that is accessory to a non-conforming use, shall be deemed a non-conforming sign and may remain on a lot of record, except as qualified in paragraph (2) below. No non-conforming sign shall be enlarged, extended, structurally altered or reconstructed in any manner.
2. Non-conforming signs may remain on a lot of record, provided they are kept in good repair, except for the following:
 - a. Change of Use. Whenever a change of use occurs upon a lot that contains a non-conforming sign, such sign shall not be permitted to remain without being modified in such a manner as to be in full compliance with these sign regulations.
 - b. Relocation. No non-conforming sign shall be moved for any distance on the same lot or to any other lot unless such changes in location will make the sign conform to the provisions of this Ordinance.
 - c. Damage or Destruction of Sign. A non-conforming sign that is destroyed or damaged to an extent exceeding 50 percent of its fair market value shall not be repaired, altered, replaced or reinstalled unless it is made to be in conformance with these regulations. If the damage or destruction is 50 percent or less of the fair market value, the sign may be restored within (1) one year of the destruction, but shall not be enlarged in any

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manner.

- d. Damage or Destruction of Use. A non-conforming sign shall be removed if the structure to which it is accessory is destroyed or demolished to an extent exceeding 50 percent of the principal structure's fair market-value.

Section 7-10 Specific Regulations for Each Zone

No person shall install or maintain any sign in the City of Kanab and in the zones listed, except as herein provided. Signs not allowed in the following sections are specifically prohibited.

Sign Types	Residential Zones			
	R-1-8	R-1-10	R-1-15	R-1-20
Name Plates ¹⁴	P	P	P	P
Property Signs ¹⁵	P	P	P	P
Civic Signs ¹⁶	P	P	P	P
Residential Monument Signs ¹⁷	C	C	C	C
Promotional Signs ¹⁸	P	P	P	P
Bed and Breakfast Inn Signs ¹⁹	C	C	C	C
Temporary Signs ²⁰	P	P	P	P
Real Estate Signs ²⁰	P	P	P	P

Sign Types	Residential Zones			
	R-M-7	R-M-9	R-M-11	R-M-13
Name Plates ¹⁴	P	P	P	P
Property Signs ¹⁵	P	P	P	P
Civic Signs ¹⁶	P	P	P	P
Residential Monument Signs ¹⁷	C	C	C	C
Promotional Signs ¹⁸	P	P	P	P
Bed and Breakfast Inn Signs ¹⁹	C	C	C	C
Temporary Signs ²⁰	P	P	P	P
Real Estate Sign ²⁰	P	P	P	P

P - Permitted C - Conditional Use - Not Permitted

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Sign Types	Residential Zones			
	R-M-15	M-H	M-H-E	MH-KCR
Name Plates ¹⁴	P	P	P	P
Property Signs ¹⁵	P	P	P	P ¹
Civic Signs ¹⁶	P	P	P	P
Residential Monument Signs ¹⁷	C	C	C	C
Promotional Signs ¹⁸	P	P	P	P
Bed and Breakfast Inn Signs ¹⁹	C	C	C	C
Temporary Signs ²⁰	P	P	P	P
Real Estate Sign ²⁰	P	P	P	P

Sign Types	Residential Zones		
	R-R-1	PD	RPA
Name Plates ¹⁴	P	P	P
Property Signs ¹⁵	P	P	P
Civic Signs ¹⁶	P	P	P
Residential Monument Signs ¹⁷	C	C	C
Promotional Signs ¹⁸	P	P	P
Bed and Breakfast Inn Signs ¹⁹	C	C	C
Temporary Signs ²⁰	P	P	P
Real Estate Sign ²⁰	P	P	P

P - Permitted C - Conditional Use - Not Permitted

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Sign Types	Commercial Zones			
	C1	C2	C3	C-PUD
A-Frame Sign/Sandwich ^{1,20}	-	P	P	-
Abandoned Sign	-	-	-	-
Animated Sign	-	-	-	-
Canopy (including Awning, Marquee, Suspended) Signs ^{1,13}	P	P	P	P
Changeable Copy Sign ^{1, 23}	C	C	C	C
Civic Sign ¹⁶	P	P	P	P
Development Sign ²⁰	P	P	P	P
Electronic Message Sign or Center ^{1, 23}	C	P	P	P
Entrance Sign ^{1, 2}	P	P	P	P
Exit Sign ^{1, 2}	P	P	P	P
Facility Sign ^{1,11}	P	P	P	P
Flat Sign ^{1,4}	P	P	P	P
Illuminated Sign ^{1,22}	P	P	P	P
Mural Sign ^{1,6}	C	C	C	C
Monument Sign ^{1, 9}	P	P	P	P
Name Plate Sign ¹⁴	C	P	P	P
On-Premise (Free Standing) Signs ^{1,10}	-	C	P	P
Projecting Sign ^{1,7}	-	-	P	P
Property Sign ^{1,3}	P	P	P	P
Reader Board Sign ^{1, 23}	C	C	C	C
Real Estate Sign ²⁰	P	P	P	P
Recreational Sign ^{1, 12}	-	C	P	-
Integrated Roof Sign ^{1,8}	P	P	P	P
Service Sign	P	P	P	P
Temporary Sign ²⁰	P	P	P	P
Wall Sign ^{1,5}	P	P	P	P
Window Sign	P	P	P	P

P - Permitted C - Conditional Use - Not Permitted

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Sign Types	Manufacturing Zones		
	M-1	M-2	M-3
Canopy (including Awning, Marquee, Suspended) Signs ^{1,13}	P	P	P
Changeable Copy Sign ^{1, 23}	C	C	C
Civic Sign ¹⁶	P	P	P
Development Sign ²⁰	P	P	P
Electronic Message Sign or Center ^{1, 23}	C	C	C
Entrance Sign ^{1, 2}	P	P	P
Exit Sign ^{1, 2}	P	P	P
Facility Sign ^{1,11}	P	P	P
Flat Sign ^{1,4}	P	P	P
Illuminated Sign ^{1,22}	P	P	P
Mural Sign ^{1,6}	C	C	C
Monument Sign ^{1,9}	P	P	P
Name Plate Sign ¹⁴	P	P	P
Property Sign ^{1,3}	P	P	P
Reader Board Sign ^{1, 23}	C	C	C
Real Estate Sign ²⁰	P	P	P
Integrated Roof Sign ^{1,8}	P	P	P
Service Sign	P	P	P
Temporary Sign ²⁰	P	P	P
Wall Sign ^{1,5}	P	P	P
Window Sign	P	P	P

P - Permitted C - Conditional Use - Not Permitted

1. Residential Areas:
 - a. When located on property butting a residential zone, signs shall conform to residential requirements with respect to lighting and animation.
 - b. No Freestanding Sign shall be allowed in any residential zone.
2. Entrance or Exit Signs - One entrance or exit sign may be permitted at each driveway entering or leaving the premises. Such signs shall not exceed three (3) square feet in area nor

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be more than six (6) feet in height from the ground.

3. Property Signs - No more than two signs offering the premises for sale, lease, or inspection by the public may be permitted, provided that the total area of each sign does not exceed twenty-four (24) square feet. Said signs may be modified to indicate that the property has been sold.
4. Flat Signs - May be permitted subject to the following provisions; Flat signs shall not exceed twenty (20) percent of the face of the front wall with one hundred (100) square foot allowable minimum whichever is greater). A sign shall not project more than 18 inches from the building or structure. A sign shall not rise above the roof line and may be lighted if the source of lighting is not visible.
5. Wall Signs shall conform to the following requirements: Wall signs shall not exceed forty (40) percent of the face of the side wall with one hundred (100) square foot allowable minimum (whichever is greater). Wall signs may be painted directly on wall surface or on sign board that is attached directly to the wall face. Wall signs shall not rise above roof line and may be lighted if the source of lighting is not visible.
6. Mural Signs shall conform to the following requirements: Mural signs shall not exceed (90) percent of the face of the side wall. Mural signs may be painted directly on surface or on sign board that is attached to wall face. Mural Signs shall not rise above roof line and may be lighted if the source of lighting is not visible.
7. Projecting Signs - Projecting Signs shall conform to the following requirements. A business with no front setback; one (1) projecting sign may be permitted and shall not exceed eighty (80) square feet. Business with front setback; one (1) projecting sign may be permitted. The sign shall not exceed one hundred (100) square feet. The sign may be doubled-sided and shall not rise more than three (3) feet above the roof line. The sign may be lighted if the source of lighting is not visible. (See Projection/Location below)
8. Roof Signs - Any sign erected over or on the roof of a building. Roof signs are allowed on a case by case basis.
9. Monument Signs shall conform to the following requirements.
 - a. Maximum sign area is eighty (80) square feet.
 - b. Number of signs: There may be one (1) sign for each frontage of property, plus one (1) additional sign for each (100) foot increment of said frontage in excess of one hundred (100)

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- feet.
- c. No sign shall interfere with the public right-of-way or clear view area.
- d. Maximum sign height including base is (12) feet.
- 10. On-Premise Freestanding Signs shall conform to the following requirements:
 - a. Signs shall not exceed thirty five (35) feet in height.
 - b. Number of signs: There may be one (1) such sign for each frontage of property plus one (1) additional sign for each one hundred (100) feet of said frontage in excess of the initial one hundred (100) feet.
 - c. Adjoining properties: Said sign shall be no closer than twenty-five (25) feet from adjoining commercial properties. Signs shall be separated by fifty (50) feet.
 - d. Area of sign: Shall be determined by the following: Frontage of the lot in lineal feet. Only one (1) sign shall be permitted not to exceed one hundred (100) square feet and shall be permitted for parcels with one hundred (100) lineal feet of frontage or less. Thereafter the area of the sign may be increased by ten (10) square feet for each additional ten (10) feet of frontage beginning with one hundred ten (110) feet of frontage.
 - e. Maximum sign face shall not exceed one hundred eighty five (185) square feet. If larger signs are requested for lots over two hundred fifty (250) lineal feet frontage, signs may be permitted with a conditional use permit. Area of sign may be increased above the one hundred eighty five (185) square feet by ten (10) square feet for each additional twenty five (25) feet of frontage beginning with two hundred fifty (250) feet of frontage. Maximum sign face shall not exceed two hundred ninety five (295) square feet. Signs shall be separated by at least one hundred (100) feet. Such signs shall be no closer than fifty (50) feet from adjoining commercial properties. Maximum number of signs per parcel is two (2).

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- f. No sign shall project over a property line interfering with the public right of way.
- g. Freestanding signs may be double sided and may be lighted if the source of lighting is not visible.
- h. Where freestanding signs overhang a sidewalk they shall have a minimum clearance of eight (8) feet and a minimum of fourteen (14) feet over driveways.
- i. Reader Boards. Changeable copy areas and electronic message centers may not exceed 50% of total sign copy area.
- j. No Freestanding Sign shall be allowed in any residential zone.

11. Facility Signs shall conform to the following requirements:

- a. Such signs shall not exceed twenty-four (24) square feet in area and shall contain no advertising copy. It shall be located on the property to which it pertains and the number shall be limited to one.
- b. Such signs may be illuminated but the source of illumination shall not be visible and shall be without animation. It may be free-standing or placed against the wall of a building, but no higher than twelve (12) feet above grade and not above the roof line. When free-standing it shall be parallel with the street, and it shall not be located in or project into any required setback.

12. Recreational Signs - Signs identifying golf courses, parks, tennis courts, public riding stables, boarding stables, and similar recreational facilities, shall conform to the following requirements:

- a. Such signs shall not exceed forty-eight (48) square feet in area and may be illuminated, but the source of illumination shall not be visible and shall not be animated. Such sign shall contain no advertising copy. A rock structure is not considered sign area.
- b. There may be two (2) signs per entrance to said facility, and the sign may be double-faced, if only one sign is requested. Signs must be located on the property to which it pertains. It may be a free-standing, flat, wall or monument type sign and shall meet the specification for the type of sign as described in this ordinance.

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13. Canopy (including awning, marquee, suspended) Signs shall conform to the following requirements:
 - a. Canopy signs may be permitted only through conditional use process.
 - b. Marquee signs only (in this section) will allow reader boards, changeable copy areas and electronic message centers, but such may not exceed fifty (50) percent of the total sign copy area.
14. Name Plates - One lighted or unlighted name plate identifying the occupancy of the premises of maximum area of two (2) square feet. All RM zones: (1) residential sign not to exceed eight (8) square feet for name and address of a multiple family, residential building. Sign shall not advertise a home occupation.
15. Property Signs - No more than one property sign shall be permitted. Property signs may also be modified to indicate that the property has been sold, provided that the total area for any one sign does not exceed six (6) square feet.
16. Civic Sign - One (1) civic sign not to exceed (16) square feet in sign areas.
17. Residential Monument Signs - Two monument type subdivision identification signs will be allowed in a residential or other subdivision provided that these signs,
 - a. Are located a minimum of ten (10) feet from front property lines.
 - b. Are limited to sixty-five (65) square feet in area for each sign.
 - c. Contains no animation.
 - d. Have no visible source of illumination.
 - e. Are limited to six (6) feet in height.
18. Promotional Signs for Residential Developments - One promotional sign per subdivision shall be allowed, not located in any required setback, not exceeding twelve (12) feet in height and not containing more than thirty-two (32) square feet. Projects with more than ten (10) dwelling units may have an additional two (2) square feet of sign area per unit up to a maximum of 100 square feet.
19. Bed and Breakfast Inn Sign - A Bed and Breakfast Inn established by a conditional use permit may have a sign of not more than four square feet attached to the building, or mounted on a wooded post a maximum of six feet (6) in height,

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parallel to the street, and set back at least fifteen feet (15) from the curb line.

20. Temporary Sign - Animated illumination or lighting shall not be employed. Permits for any temporary sign shall not exceed sixty (60) days in a calendar year. It shall be the responsibility of the applicant to remove temporary signs and support structures upon expiration of the permit period. Temporary signs shall not be allowed in landscaping or beautification areas.
- a. **Development sign** - One (1) residential development sign shall be permitted as defined under Development Signs.
 - b. **Real estate signs.** For each parcel within the city, one real estate sign may be displayed on each parcel of land or part thereof that is for sale, lease, or rent; however, when more than one dwelling unit or non-residential space on a parcel of land is for sale, lease, or rent, there may be one real estate sign for each such unit or space. Real estate signs shall not exceed three square feet in sign area for residential properties, and sixteen square feet in sign area for nonresidential properties. The real estate sign shall be removed immediately upon the sale, lease or rent of the real estate that was offered for sale, lease, or rent.
 - c. **Temporary garage-yard sale signs.** For each parcel with a lawful residential use, one temporary garage-yard sale sign may be displayed. A temporary garage-yard sale sign shall not exceed four square feet in sign area. A temporary garage-yard sale sign may not be displayed for a period longer than two days during any calendar month and shall be removed upon the conclusion of the sale.
 - d. **Temporary grand opening signs.** For each new business or business name change, one temporary grand opening sign shall be permitted for thirty days after the issuance of an occupational license for the new business or the business name change. A temporary grand opening sign shall not exceed twelve square feet in sign area. A temporary grand opening sign may be a temporary covering, such as a toaster cover, sign boot, or sign sock, which

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covers an existing permitted attached or freestanding sign.

- e. **Temporary promotional signs.** For each parcel within the city, one or more temporary promotional signs may be displayed.
- f. **Temporary holiday and seasonal decorations.** Temporary holiday and seasonal decorations shall be allowed in all districts.
- g. **A - Frame (Sandwich) Signs.** May be permitted on commercial property subject to the following conditions:
 - 1. Placed in accordance with the clear view requirements of this ordinance.
 - 2. Sandwich Board Signs are self-supporting A-shaped freestanding temporary signs with only two visible sides that are situated adjacent to a business, typically on a sidewalk, that contains commercial speech.
 - 3. The maximum area shall be thirty-two (32) square feet per side of sign with the maximum height being (48) inches and shall not exceed three (3) signs.
 - 4. Acceptable primary sandwich board sign materials include the following: steel, iron, metal, and wood.
 - 5. Sandwich board signs shall be calculated as part of the allowed permanent signage.
 - 6. Sandwich Board Signs shall not be placed so as to cause the width of the sidewalk to be reduced, nor shall they be erected or maintained in a manner that prevents free ingress or egress from any drive, door, window or fire escape.
 - 7. Sandwich board signs shall not be illuminated, nor shall they contain moving parts or have balloons, streamers, pennants, or similar adornment attached to them. Attaching sandwich board signs to structures, poles, objects, signs, etc. by means of chains, cords, rope, wire, cable, etc. is prohibited. Signs shall only be displayed during business operating hours.

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8. Sandwich board signs within the public right-of-way may be moved / removed by the City for municipal purposes. (i.e. code enforcement, snow removal, traffic issues, maintenance, etc.).

9. Right of Way along Highway 89, SR11 is under the jurisdiction of the Utah Department of Transportation, Kanab City enforces its own sign regulations along those streets in addition to those of other agencies or jurisdictions.

21. Development Signs shall conform to the following requirements:

- a. The sign may contain the name of the project, name and address of the construction firm (s), architect, and developer.

22. Illuminated Signs:

- a. Backlit - The lighting of a sign from behind, through a semi-transparent material, to make the sign copy visible.
- b. Illumination - The lighting of a sign from outside of the sign by directing light onto the sign face.
- c. Floodlighted - The display of an image or copy, by projection, upon a surface or building face.
- d. Indirect - A source of external illumination located away from the sign, which lights the sign, but which is itself not visible to persons viewing the sign from any street, sidewalk or adjacent property.
- e. Internal - A source of illumination entirely within the sign that makes the contents of the sign visible at night by means of the light being transmitted through a translucent material but wherein the source of illumination is not visible.
- f. Internal/Indirect - A source of illumination entirely within an individual letter, cabinet or structure that makes the sign visible at night by means of lighting the background upon which the individual letter is mounted. The letters are opaque, and thus are silhouetted against the background. The source of illumination is not visible.

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- 23.** Changeable Copy Signs / Reader Board Sign / Electronic message signs or centers:
- a. Electrical: The electrical components of signs are regulated by the currently adopted edition of the National Electric Code. All electrical signs must bear the U.L. label.
 - b. Electronic message signs or centers are regulated per its applicable sign type, i.e., freestanding or wall-mounted.
 - c. Time and Temperature Signs shall follow the following guidelines.
 1. The sign area shall not exceed six (6) square feet.
 2. The square footage shall be deducted from the total square footage calculation allowable for the property or business.
 3. The sign shall not have constantly moving or flashing lights.
 4. The message shall change no more than once every (15) fifteen seconds.
 - d. Changeable copy sign:
 1. If a single use site, a maximum of one (1) changeable copy signs shall be permitted, this may be part of either a freestanding sign or a wall sign;
 2. If an integrated center, either one (1) changeable copy sign shall be permitted as part of a freestanding sign, or each individual use within an integrated center shall be permitted one (1) changeable copy sign as part of a wall sign;
 3. A changeable copy sign may be used as part of either a freestanding sign or as part of a wall sign, but not both; and,
 4. The changeable copy sign shall not exceed forty (40) percent of the sign surface area of the permitted sign, provided, however, an Electrically Activated Message Sign shall not exceed twenty (20) percent of the sign surface area of the permitted sign.